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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

RABINDRANATH DUTTA

Serial No.: **09/535,559**

Filed: **March 27, 2000**

For: **THIRD PARTY CONTRACT
DEPOSITORY FOR E-COMMERCE
TRANSACTIONS**

ATTORNEY DOCKET NO.: **AUS000060US1**

Examiner: **RUDY, ANDREW J.**

Art Unit: **3627**

Confirmation No. **3609**

APPEAL BRIEF UNDER 37 C.F.R. 41.37

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Sir:

This Brief is submitted in support of the Appeal of the Examiner's final rejection of Claims 5, 7, 11-14 and 19-20 in the above-identified application. A Notice of Appeal was filed in this case and received in the Patent Office on January 18, 2008. Please apply the previously paid fee for filing of the previous Appeal Brief, to cover the fees for filing the present Appeal Brief. A one month extension of time is required and is hereby requested. Please charge the fee of \$120.00 for the one month extension of time to **DILLON & YUDELL LLP's Deposit Account No. 50-3083**. Please charge any additional required fees to **IBM's Deposit Account No. 09-0447**.

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REAL PARTY IN INTEREST

The real party in interest in the present Application is International Business Machines Corporation, the Assignee of the present application as evidenced by the Assignment set forth at reel 010712, frame 0812.

RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, the Appellants' legal representative, or assignee, which directly affect or would be directly affected by or have a bearing on the Board's decision in the pending appeal.

STATUS OF CLAIMS

Claims 5, 7, 11-14 and 19-20 stand rejected by the Examiner as noted in the Office Action dated October 18, 2007. The rejection of Claims 5, 7, 11-14 and 19-20 is appealed.

STATUS OF AMENDMENTS

Appellants' Appeal Brief, filed on September 10, 2006, resulted in reopening prosecution as noted in the Office Action dated October 18, 2007. No amendment was made subsequent to the Office Action from which this appeal is taken.

SUMMARY OF THE CLAIMED SUBJECT MATTER

As recited by Appellants' example Claim 5, Appellants' invention provides an electronic database used as a depository 207 for electronic documents 209 generated during E-commerce transactions (FIG. 3 and 4). The electronic database comprises: means for automatically receiving an electronic document (209) dynamically generated from information provided during an E-commerce transaction (FIG. 4; page 13) that has completed at an E-commerce server 205 (see FIG. 4, 411, which server is independent of the electronic database (207) (see FIG. 5B; page 14, first paragraph), whereby the electronic document 209 stored at the electronic database cannot be modified by either party to the E-commerce transaction (see top of page 12 – first full paragraph); means for generating a document identifier (ID) (see 209) for the received E-commerce generated electronic document 209, wherein the document ID is generated at the database (505) (see page 14, second paragraph); means for storing the E-commerce generated

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